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OCT 03 2014

6 RICHARD W. WALKING
7 CLERK, U.S. DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA
9 SAN JOSE

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11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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14 SAN JOSE DIVISION

15 MALINKA TACUMA WADE MOYE,) Case No. C 14-3728 LHK (PR)
16 Plaintiff,)
17 v.)
18 WHA, EMC, PJH,)
19 Defendants.)
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On August 18, 2014, plaintiff, proceeding *pro se*, filed a federal civil rights action. That same day, the clerk notified plaintiff that he had not paid the filing fee, nor had he filed an application to proceed in forma pauperis ("IFP"). (Docket No. 2.) Along with the deficiency notice, plaintiff was provided with an IFP application and instructions for completing it. Plaintiff was further cautioned that his failure to file a completed IFP application or pay the filing fee within twenty-eight days would result in the dismissal of this action. More than twenty-eight days have passed and plaintiff has not paid his filing fee or filed a completed IFP application. Thus, the instant action is **DISMISSED** without prejudice. The clerk shall terminate all pending motions, enter judgment, and close the file.

IT IS SO ORDERED.

DATED: 10/2/14

Lucy H. Koh
LUCY H. KOH
United States District Judge